IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 20TH DECEMBER 2006 / 29TH AGRAHAYANA 1928

WP(C).No. 32577 of 2005(C)

PETITIONER:

VARAPRAVAN KUNHIRAMAN,
S/O.KUNHAMBU NAIR, KUMBALATHOTTY,
PULLUR P.O., ANANDASRAM VIA,
KASARAGOD DISTRICT.

BY ADV. SRI.T.B.SHAJIMON

RESPONDENTS:

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1. THE SECRETARY,
THE HOSDRUG PRIMARY CO-OPERATIVE
AGRICULTURAL DEVELOPMENT BANK LTD. NO.C-390 P.O.,
KANHANGAD-671315.

2. THE SENIOR INSPECTOR/SALE OFFICER,
THE HOSDURG PRIMARY CO-OPERATIVE
AGRICULTURAL DEVELOPMENT BANK LTD. NO.C-390 P.O.,
KANHANGAD-671315.

BY ADV. SRI.T.R.RAMACHANDRAN NAIR FOR R1
GOVERNMENT PLEADER, SRI.P.K.RAVIKRISHNAN FOR R2

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXTS:-

EXT.P1 PHOTOSTAT COPY OF THE RECEIPTS

EXT.P2 PHOTOSTAT COPY OF THE SALE NOTICE DATED 06/10/2005

EXT.P3 PHOTOSTAT COPY OF THE REPRESENTATION DATED 29/10/2005

\\TRUE COPY //

P.A TO JUDGE

J.M.JAMES, J.

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W.P.(C) No. 32577 of 2005 (C)

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Dated this the 20th day of December, 2006

J U D G M E N T

The writ petition is a defaulter of a loan availed from the first respondent, Agricultural Development Bank. Therefore, coercive steps have been initiated against the writ petitioner, including the sale of the properties. The petitioner filed this writ petition and pray that, he may be extended the facilities of one time settlement, so that he could pay back the amount.

2. In the above facts situation, I direct the writ petitioner to approach the first respondent, with a representation requesting for the facilities under the one time settlement scheme, immediately. On receipt of the same, the first respondent shall, hear the writ petitioner and pass appropriate orders, on merit, allowing all the benefits and facilities available under the one time settlement scheme, as per Circular No.27/2006, dated 29/06/2006.

3. Till an order is passed on the representation that would be filed by the writ petitioner, there shall be no coercive steps or actions against the writ petitioner.

(J.M.JAMES)
Judge

ms